

### Remarks

This is in response to the non-final Office Action mailed December 18, 2003. Claims 7, 30, 40, 53, and 62 have been canceled without prejudice or disclaimer. Claims 1, 8, 19, 27, 31, 34, 41, 48, 54, 56, 63, and 68 have been amended. No new matter has been added. Claims 1-6, 8-29, 31-39, 41-52, 54-61, and 63-68 remain pending in the application. Reconsideration and allowance are respectfully requested in view of the following remarks.

#### **I. Preliminary Comments Regarding Disclosure of Ishizuka**

In Section 6 of the Office Action, the Office Action states that Ishizuka et al., U.S. Patent No. 5,313,635, inherently discloses generation of machine-executable code. This characterization is respectfully traversed and is not conceded. It is respectfully suggested that Ishizuka does not implicitly disclose the generation of machine-executable code. Instead, Ishizuka simply discloses generation of an object file. There is no implication that the object file is machine-executable code. Reconsideration is therefore respectfully requested.

#### **II. Claim Rejections - Ishizuka**

In Section 3 of the Office Action, claims 1-3, 6, 10-14, 16-18, 19, 22-29, 33-37, 39, 43, 44, 46, 47, 50, 56-58, 65, 66, and 68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishizuka. It is assumed that claim 48, although not listed, is subject to this rejection as well because it is treated in the detailed description of the rejection. This rejection is respectfully traversed, and the correctness of the rejection is not conceded.

However, in the interest of moving this application into condition for allowance, subject matter from claim 7 has been incorporated into claim 1. The rejection concedes that Ishizuka fails to disclose or suggest the subject matter of claim 7. Therefore, claim 1, as well as claims 2, 3, 6, 10-14, and 16-18 that depend therefrom, should be allowable over Ishizuka.

Likewise, independent claims 19, 27, 34, 48, and 56 have been amended to incorporate subject matter similar to that added to claim 1. Therefore, claims 19, 27, 34, 48, and 56, as well as claims 22-26, 28, 29, 33, 35-37, 39, 43, 44, 46, 47, 50, 57, 58, 66, and 68 that depend respectively therefrom, should be allowable.

Therefore, reconsideration and allowance of claims 1-3, 6, 10-14, 16-19, 22-29, 33-37, 39, 43, 44, 46, 47, 50, 56-58, 65, 66, and 68 are respectfully requested.

### **III. Claim Rejections - Ishizuka and Balassanian**

In Section 4 of the Office Action, claims 7-9, 15, 30-32, 40-42, 53-55, 62-64, and 67 were rejected under section 103(a) as being unpatentable over Ishizuka in view of Balassanian, U.S. Patent No. 6,324,685. This rejection is respectfully traversed, and reconsideration is requested for at least the following reasons.

As previously noted, claim 1 incorporates subject matter from canceled claim 7. Claim 1 is directed at a method of offloading compilation. The method of amended claim 1 generally includes the following:

- transmitting compilation information from a first subsystem to a second subsystem;
- compiling computer program code into machine-executable code on the second subsystem;
- detecting whether the second subsystem is a trusted source; and
- receiving the machine-executable code from the second subsystem into the first subsystem.

It can be advantageous to practice a method of offloading compilation as recited by claim 1 so that compilation processes, which can be processor and memory intensive, can be efficiently performed by a second subsystem for a first subsystem. It is further advantageous to detect whether the second subsystem, which compiles the computer program code, is trusted to thereby determine that machine executable code received by the first second subsystem will not compromise the integrity of the first computing subsystem. Application, page 8, lines 19-23.

The rejection notes that Ishizuka fails to disclose or suggest detection of whether the second subsystem is a trusted source, as now recited by claim 1. Office Action, page 11, lines 17-19. However, the rejection cites column 6, lines 10-21 and 35-42 of Balassanian as disclosing a detection process "for checking if the second subsystem is a trusted source prior to sending the executable to the first subsystem." Office Action, page 12, lines 1-3. This characterization of Balassanian is respectfully traversed.

Balassanian discloses an applet server that provides applets in various forms. Embodiments of the server disclosed by Balassanian are described as having verifiers (see, for example, verifiers 34 and 48 of Figures 1 and 3). The verifiers are described as being a type of

transformer that analyzes input code and determines areas that may not be safe. Balassanian, col. 5, lines 26 and 27. The verifiers are specifically described as follows:

The verifier's role can therefore be summarized as determining where unsafe code exists and possibly altering the offending code to render it harmless.

Balassanian, col. 5, lines 38-40. The verifiers disclosed by Balassanian therefore are used to analyze and modify specific sections of unsafe code.

In contrast to the verifiers disclosed by Balassanian, claim 1 recites detecting whether the second subsystem is a trusted source. Such a step does not involve an analysis of specific sections of code, but instead is based on a relationship between the first and second computing subsystems. See, for example and without limitation, the application at page 16, line 20 - page 17, line 7 for one example of how such a trusted relationship can be established.

Because neither Ishizuka nor Balassanian, alone or in combination, disclose detecting whether the second subsystem is a trusted source, claim 1, and claims 8, 9, and 15 that depend therefrom, should be allowable. Reconsideration and allowance are requested.


Further, independent claims 19, 27, 34, 48, and 56, although not identical in scope to claim 1, include limitations similar to those noted above with respect to claim 1. Therefore, reconsideration and allowance of claims 31, 32, 41, 42, 54, 55, 63, 64, and 67, which all depend respectively from claims 19, 27, 34, 48, and 56, are respectfully requested.

**IV. Conclusion**

In view of the above, it is submitted that all claims are in condition for allowance. Applicants request reconsideration, withdrawal of the rejections, and a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,  
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